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16 Attorneys for Defendant  
17 AT&T Mobility LLC

18 **UNITED STATES DISTRICT COURT**  
19 **NORTHERN DISTRICT OF CALIFORNIA**  
20 **SAN JOSE DIVISION**

21 IN RE APPLE & AT&TM ANTI-TRUST  
22 LITIGATION

Case No. 07-05152-JW

23 **STIPULATION AND [PROPOSED]**  
24 **ORDER REGARDING DUE DATE FOR**  
25 **REPLY MEMORANDUM IN SUPPORT**  
26 **OF MOTION OF DEFENDANT AT&T**  
27 **MOBILITY LLC TO COMPEL**  
28 **ARBITRATION AND TO DISMISS**  
**CLAIMS PURSUANT TO THE**  
**FEDERAL ARBITRATION ACT**

Courtroom: 8  
Honorable James Ware



1 Plaintiffs Herbert H. Kliegerman, Paul Holman, Lucy Rivello, Timothy P. Smith,  
2 Michael G. Lee, Dennis V. Macasaddu, Mark G. Morikawa, Vincent Scotti, and Scott Sesso and  
3 defendant AT&T Mobility LLC (“ATTM”) agree as follows:

4 WHEREAS, the stipulated scheduling order of June 4, 2008 provides that ATTM’s  
5 motion to compel arbitration was due on June 27, 2008, plaintiffs’ opposition was due August 6,  
6 2008, and ATTM’s reply brief is due August 25, 2008;

7 WHEREAS, the Court’s order of June 23, 2008 set the hearing date for ATTM’s motion  
8 to compel arbitration as September 12, 2008;

9 WHEREAS, in accordance with that briefing schedule, ATTM timely filed its motion to  
10 compel arbitration and plaintiffs timely filed their opposition;

11 WHEREAS, because of scheduling conflicts ATTM requested and the plaintiffs agreed to  
12 extend the due date for ATTM’s reply brief until August 29, 2008, which is 14 days before the  
13 hearing date of September 12, 2008; and

14 WHEREAS, plaintiffs agree to the extension based on their belief that filing the reply  
15 brief 14 days before the September 12, 2008 hearing date will not result in the argument date  
16 being adjourned;

17 IT IS HEREBY STIPULATED that the deadline for ATTM’s reply brief in support of its  
18 motion to compel arbitration is extended to and including August 29, 2008.

19 **IT IS SO ORDERED AS MODIFIED:**

20 And now, on this 22 day of August, 2008, upon agreement of Interim Lead Counsel for  
21 the plaintiffs and counsel for defendant AT&T Mobility LLC (“ATTM”), it is hereby ordered:

22 1. The deadline for the filing of ATTM’s reply memorandum in support of its  
23 motion to compel arbitration and dismiss claims against it (Dkt. No. 115)—**remains due on**  
24 **August 25, 2008.**

25  
26 2. The hearing on ATTM’s motion to compel arbitration shall remain calendared for  
27 September 12, 2008, at 9:00 a.m.

28 STIPULATED SCHEDULING ORDER—MASTER FILE NO. C 07-05152 JW

1 Dated: August 22, 2008

2 WOLF HALDENSTEIN ADLER FREEMAN  
3 & HERZ LLP  
4 FRANCIS C. GREGOREK  
5 BETSY C. MANIFOLD  
6 RACHELE R. RICKERT  
7 MARK C. RIFKIN  
8 ALEXANDER H. SCHMIDT  
9 MARTIN RESTITUYO

10 By: /s Rachele R. Rickert  
11 Rachele R. Rickert  
12 Plaintiffs' Interim Lead Counsel

13 Dated: August 22, 2008

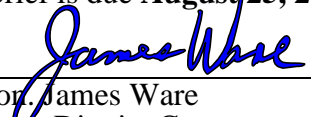
14 MAYER BROWN LLP  
15 DONALD M. FALK

16 By: /s Donald M. Falk  
17 Donald M. Falk  
18 Attorneys for Defendant AT&T Mobility LLC

19 PURSUANT TO STIPULATION, IT IS HEREBY ORDERED:

20 The Deadline for Defendant AT& T Mobility LLC's reply brief is due **August 25, 2008.**

21 Dated: August 22, 2008

22   
23 Hon. James Ware  
24 United States District Court